

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 167

HOUSE BILL 2626

AN ACT

AMENDING SECTIONS 11-269.03 AND 28-334, ARIZONA REVISED STATUTES; RELATING
TO TRANSPORTATION AGREEMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-269.03, Arizona Revised Statutes, is amended to
3 read:

4 11-269.03. Acceleration agreements; loan repayment agreements

5 A. A COUNTY MAY ENTER INTO AGREEMENTS WITH THE DEPARTMENT OF
6 TRANSPORTATION FOR THE ACCELERATION OF RIGHT-OF-WAY ACQUISITION, DESIGN OR
7 CONSTRUCTION OF AN ELIGIBLE PROJECT AS DEFINED IN SECTION 28-7671 AND MAY
8 ADVANCE MONIES TO THE DEPARTMENT OF TRANSPORTATION PURSUANT TO THOSE
9 AGREEMENTS. ANY POLITICAL SUBDIVISION MAY PLEDGE EXCISE TAXES TO THE
10 REPAYMENT OF ALL OR ANY PART OF THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST
11 ON ANY BORROWING TO FUND THE ADVANCE.

12 B. A COUNTY MAY ASSIGN THE RIGHT TO RECEIVE PAYMENT UNDER THE
13 AGREEMENT ENTERED INTO PURSUANT TO SUBSECTION A OF THIS SECTION TO A TRUSTEE.

14 C. A COUNTY MAY PLEDGE ITS EXCISE TAXES TO THE REPAYMENT OF ALL OR ANY
15 PART OF THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST ON ANY BORROWING TO FUND
16 THE ADVANCE AND MAKE SUCH OTHER COVENANTS AND AGREEMENTS AS MAY BE
17 APPROPRIATE.

18 D. A loan repayment agreement as defined in section 28-7671 entered
19 into by a county may be paid from and may be secured by a pledge of highway
20 user revenues received by the county from this state pursuant to title 28,
21 chapter 18, article 2 and section 42-6107. The pledge may be on a parity
22 with any pledge previously or hereafter made by the county pursuant to
23 section 11-379. If a county pledges those highway user revenues to a loan
24 repayment agreement, the principal and interest requirements on the loan
25 repayment agreement may be treated as if they were principal and interest on
26 bonds issued under article 12 of this chapter for all purposes of sections
27 11-378 and 11-380.

28 Sec. 2. Section 28-334, Arizona Revised Statutes, is amended to read:

29 28-334. Acceptance and expenditure of federal monies;
30 limitations

31 A. The department may accept and expend grants, donations, aid or
32 other monies received from the federal government or any agency of the
33 federal government for any transportation purpose.

34 B. The department may contract and do all things necessary to secure
35 the full benefits available to this state for transportation purposes under
36 federal law and, in doing so, may cooperate with federal, state and local
37 government agencies, indian tribes, private and public organizations and
38 private individuals. THE DEPARTMENT MAY EXCHANGE FEDERAL FUNDS WITH LOCAL
39 GOVERNMENTS IN ORDER TO RECEIVE LOCAL FUNDS AND MAY INCLUDE ADDITIONAL
40 FEDERAL FUNDS IN THE EXCHANGE TO OFFSET MATCHING COSTS REQUIRED OF LOCAL
41 GOVERNMENTS.

1 C. This chapter shall not be construed to affect the authority of
2 other agencies or boards of this state or political subdivisions from
3 accepting, receiving or expending grants or other monies from the federal
4 government or any agency of the federal government for transportation
5 purposes pursuant to other provisions of law or charter.

6 Sec. 3. Emergency

7 This act is an emergency measure that is necessary to preserve the
8 public peace, health or safety and is operative immediately as provided by
9 law.

APPROVED BY THE GOVERNOR APRIL 26, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2004.